

DRAFT**REMARKS**

Claims 1-18, and 27-31, 33-35 are now pending in the application. Minor amendments have been made to the claims to simply overcome the rejections of the claims under 35 U.S.C. § 112. The claims contained herein are at least of equivalent scope to the claims as originally filed and, thus, these amendments are not narrowing amendments. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

The Applicant would like to thank the Examiner for the courtesies extended during the telephone interview of August 20, 2002.

REJECTION UNDER 35 U.S.C. § 112

Claims 14, 30-32, and 34-35 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

Minor amendments have been made to claims 14 and 30 to overcome the rejections of the Examiner.

Claim 31 stands rejected under 35 U.S.C. § 112, second paragraph, as containing subject matter not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time of the application was filed, had possession of the claimed invention. This rejection is respectfully traversed.

DRAFT

The Examiner rejected claim 32 reciting "said carrier" which does not have antecedent basis. The Applicant believes that this rejection is actually directed to claim 33. Therefore, claim 32 has not been added. Nevertheless, claim 33 recites "said carrier". Claim 33 depends from claim 16 which recites "comprising a carrier". Therefore, the Applicant believes that claim 33 which recites "said carrier" has antecedent basis in claim 16. Claims 34 and 35 depend from claim 33, therefore they also have antecedent basis for "said carrier."

REJECTION UNDER 35 U.S.C. § 103

Claims 14-18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Silva (U.S. Pat. No. 4,500,548) in view of Domingues (U.S. Pat. No. 5,514,386). This rejection is respectfully traversed.

Claim 14 has been amended such that it now recites "rework dough, formed substantially of previously formed dough". It is a "combination [of] a catalyst and a rework dough" that is recited. As the Examiner notes, Silva does not disclose adding a catalyst or a fermentation aid to a rework dough. Rather, Silva discloses only adding a fermentation aid to a **new dough**. Therefore, the catalyst and rework dough as presently recited is not disclosed or rendered obvious by Silva.

Moreover, Silva does not appear to disclose speeding up a reaction. Silva teaches "decreas[ing] the fermentation time without a corresponding loss of standard bread characteristics including flavor, aroma or texture." See col. 5, lns. 50-53. The fermentation aid is a "dried ferment" of various ingredients. See col. 3, lns. 21-22. As taught the ingredients are allowed to ferment and then are dried to later be added to a

DRAFT

dough. See. col. 5, Ins. 27-49. Rather than increasing the speed of a reaction Silva discloses producing and adding the pre-fermented dried material to a dough to decrease the fermentation time of the dough. See. col. 6, Ins. 40-65. The longer the dried ferment was fermented the less of it is necessary to produce a reduction in the dough to which it is added. Id.

Rather, the Applicant believes that Silva teaches away from adding a catalyst to a rework dough. Therefore, the Applicant believes that amended claim 14 and each claim depending therefrom are in a condition for allowance.

CONCLUSION

The Examiner has indicated the allowable subject matter of Claims 1-13 and 27-35. It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt

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and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: February , 2003

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DRAFT**ATTACHMENT FOR CLAIM AMENDMENTS**

The following is a marked up version of each amended claim in which underlines indicates insertions and brackets indicate deletions.

14. (Twice Amended) In combination a catalyst and a rework dough, formed substantially of previously formed dough, for use in a dough for the production of baked goods, the catalyst comprising dextrose, sugar, wheat gluten, and an enzyme, wherein the catalyst is mixed with [a] the rework dough to produce a reprocessed dough having a substantial portion of the rework dough.

30. (Amended) The method of Claim 27, wherein said catalyst [preferably] comprises about 58-62% of sugar, 18-22% of dextrose, 8-12% of wheat gluten, 0.75-1.50% of L-cystine.

31. (Amended) The method of Claim 27, wherein said batch of reprocessed [batter] dough includes approximately 33-38% said water, 58-62% said rework dough and [2]3-6% of said catalyst by weight.

34. (Amended) The catalyst of Claim 33, wherein said catalyst [preferably] comprises about 58-62% of sugar, 18-22% of dextrose, 8-12% of wheat gluten, 0.75-1.50% of L-cystine, and 8-12% of flour by weight.